

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON EDUCATION**

**Call to Order:** By Chairman Rick Jore, on February 23, 2007 at 4:19 P.M., in Room 137 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Rick Jore, Chairman (C)  
Rep. Roger Koopman, Vice Chairman (R)  
Rep. Holly Raser, Vice Chairman (D)  
Rep. Norma Bixby (D)  
Rep. Mark Blasdel (R)  
Rep. Edward B. Butcher (R)  
Rep. Douglas Cordier (D)  
Rep. George Everett (R)  
Rep. Wanda Grinde (D)  
Rep. Robin Hamilton (D)  
Rep. Bob Lake (R)  
Rep. Michael Lange (R)  
Rep. Jesse O'Hara (R)  
Rep. Franke Wilmer (D)

**Members Excused:** None.

##### **Members Absent:**

Rep. John Ward (R)

**Staff Present:** Donci Bardash, Committee Secretary  
Susan Fox, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted:	HB 280, 2/21/2007; HB 732, 2/21/2007; HB 733, 2/21/2007; HB 761, 2/21/2007; HJ 39, 2/21/2007
Executive Action:	HB 280, HB 732, HB 733, HB 761, HJ 39, HB 465, HB 515, HB 573, HB 614, HB 615, HB 672, HB 702, HB 716, HB 744, HB 769, HB 164

**HEARING ON HJ 39**

**Opening Statement by Sponsor:**

00:02:14 Rep. Ron Erickson (D), HD 93, opened the hearing on  
HJ 39, Study economic development.

**Proponents' Testimony:**

00:05:30 Walter Hill, self

**EXHIBIT**(edh41a01)

00:12:29 Cathy Conover, Montana University System

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:16:53 Rep. Wilmer

00:17:18 Mr. Hill

**Closing by Sponsor:**

00:18:00 Rep. Erickson

**HEARING ON HB 280**

**Opening Statement by Sponsor:**

00:20:10 Rep. Ray Hawk (R), HD 90, opened the hearing on  
HB 280, Revise impact fee laws.

**Proponents' Testimony:**

00:22:55 John McGee, Florence-Carlton School District

00:24:46 Steve Hall, Florence-Carlton School District

00:27:59 Linda Stoll, Montana Association of Planners

**Opponents' Testimony:**

00:29:25 Dustin Stewart, Montana Building Industry Association

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:32:25 Rep. Grinde

00:33:22 Rep. Hawk

00:33:49 Rep. Grinde  
00:33:57 Rep. Hawk  
00:34:31 Rep. Butcher  
00:35:41 Rep. Hawk  
00:36:09 Rep. Jore  
00:36:37 Mr. McGee  
00:38:55 Rep. Jore  
00:39:10 Mr. McGee  
00:39:40 Rep. Grinde  
00:40:18 Mr. McGee

**Closing by Sponsor:**

00:40:26 Rep. Hawk

**HEARING ON HB 733**

**Opening Statement by Sponsor:**

00:41:12 Rep. Veronica Small-Eastman (D), HD 42, opened the hearing on HB 733, Cervical cancer immunization information for certain students.

[EXHIBIT \(edh41a02\)](#)

**Proponents' Testimony:**

00:47:22 Bob Runkel, Office of Public Instruction (OPI)  
00:49:05 Jani McCall, Billings Clinic  
00:50:23 Casey Blumenthal, Montana Hospital Association  
00:52:48 Steve Yeakel, Montana Council for Maternal and Child Health  
00:53:58 Erik Feaver, MEA-MFT  
00:54:55 Nanette Gilbertson, American Cancer Society

[EXHIBIT \(edh41a03\)](#)

**Opponents' Testimony:**

00:56:17 Becky Stockton, parent  
[EXHIBIT \(edh41a04\)](#)  
01:00:08 Marissa Stockton, Eagle Forum  
[EXHIBIT \(edh41a05\)](#)  
01:02:02 Alicia Norling, self  
01:02:22 Geogia Lindgren, self  
[EXHIBIT \(edh41a06\)](#)  
01:03:23 Vicki Norling, parent  
01:04:05 Jodie Lindgren, self  
01:04:21 Larry Chambers, Focus on the Family  
[EXHIBIT \(edh41a07\)](#)  
01:04:52 Andrea Walker, self

**Informational Testimony:**

01:08:31 Cathleen McCarthy

[EXHIBIT](#)(edh41a08)

**Questions from Committee Members and Responses:**

01:08:51 Rep. O'Hara  
01:09:25 Ms. McCarthy  
01:09:52 Rep. Butcher  
01:12:40 Ms. McCarthy  
01:13:58 Rep. Butcher  
01:16:56 Ms. Gilbertson  
01:17:21 Rep. Raser  
01:17:48 Ms. McCarthy  
01:18:18 Mr. Runkel  
01:19:01 Rep. Raser  
01:19:55 Rep. Small-Eastman  
01:20:35 Rep. Koopman  
01:23:05 Mr. Runkel  
01:23:22 Rep. Koopman  
01:23:40 Mr. Runkel  
01:24:23 Rep. Koopman  
01:25:16 Rep. Small-Eastman  
01:25:26 Rep. Koopman  
01:28:05 Rep. Small-Eastman  
01:28:57 Rep. Koopman  
01:29:47 Rep. Small-Eastman

**Closing by Sponsor:**

01:30:30 Rep. Small-Eastman

**HEARING ON HB 732**

**Opening Statement by Sponsor:**

01:34:22 Rep. Veronica Small-Eastman (D), HD 42, opened the  
hearing on HB 732, Teacher Housing Incentive Program.

[EXHIBIT](#)(edh41a09)

**Proponents' Testimony:** None.

**Opponents' Testimony:** None.

**Informational Testimony:**

01:38:37 Ethan Starp, Montana Department of Commerce

**Questions from Committee Members and Responses:**

01:39:03 Rep. Butcher  
01:39:51 Mr. Starp  
01:40:15 Rep. Butcher  
01:41:07 Mr. Starp  
01:41:33 Rep. Lange  
01:42:05 Rep. Small-Eastman  
01:43:04 Rep. Lange  
01:45:35 Rep. Small-Eastman  
01:45:48 Mr. Starp

**Closing by Sponsor:**

01:46:37 Rep. Small-Eastman  
  
01:48:12 Break  
02:05:32 Reconvene

**HEARING ON HB 761**

**Opening Statement by Sponsor:**

02:05:47 Rep. Julie French (D), HD 36, opened the hearing on  
HB 761, Creditable retirement service for deployed  
teachers.

[EXHIBIT\(edh41a10\)](#)

**Proponents' Testimony:**

02:08:05 Mr. Feaver

**Opponents' Testimony:**

02:11:11 David Senn, Teacher's Retirement System

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

02:14:58 Rep. O'Hara  
02:15:16 Mr. Feaver  
02:16:27 Rep. Cordier  
02:16:54 Mr. Feaver  
02:17:19 Mr. Senn  
02:17:55 Rep. Cordier  
02:18:11 Mr. Senn  
02:18:23 Rep. Butcher  
02:19:04 Mr. Feaver

02:20:00 Rep. Wilmer  
02:20:45 Mr. Senn  
02:21:12 Rep. Everett  
02:21:28 Mr. Senn  
02:22:02 Rep. Raser  
02:22:20 Mr. Senn  
02:22:33 Rep. Lake  
02:23:15 Mr. Senn  
02:24:00 Rep. Lake  
02:24:08 Mr. Senn  
02:24:34 Rep. Lange  
02:25:10 Mr. Senn  
02:25:47 Rep. Lange  
02:26:26 Mr. Senn  
02:26:48 Rep. Butcher  
02:27:09 Mr. Senn  
02:27:41 Rep. Butcher  
02:28:28 Mr. Senn  
02:28:54 Rep. Wilmer  
02:29:38 Mr. Feaver

**Closing by Sponsor:**

02:30:42 Rep. French

**EXECUTIVE ACTION ON HB 761**

02:31:33 **Motion:** Rep Raser moved that **HB 761 DO PASS.**

02:31:45 **Motion:** Rep. Raser moved that **HB 761 BE AMENDED.**

**Discussion:**

02:32:10 Rep. Wilmer  
02:32:23 Rep. Lange  
02:32:50 Rep. Lake

02:33:17 **Vote:** The motion failed 6-9 by roll call vote with  
Reps. Raser, Cordier, Bixby, Grinde, Wilmer, and  
Hamilton voting aye. Rep. Ward voted by proxy.

**Discussion:**

02:34:44 Rep. Lange  
02:35:17 Rep. Butcher  
02:36:05 Rep. Koopman  
02:37:05 Rep. Wilmer  
02:38:15 Rep. Lake  
02:38:53 Rep. O'Hara

02:39:30 Rep. Butcher

02:40:14 Rep. Jore

02:40:28 **Vote:** The motion carried 8-7 by roll call vote with Reps. O'Hara, Blasdel, Koopman, Jore, Everett, Ward and Butcher voting no. Rep. Ward voted by proxy.

**EXECUTIVE ACTION ON HB 732**

02:42:01 **Motion:** Rep. Raser moved that **HB 732 DO PASS.**

**Discussion:**

02:42:11 Rep. Butcher

02:43:20 Rep. Lange

02:43:38 Ms. Fox

02:43:43 **Motion:** Rep. Lange moved a that **HB 732 BE AMENDED CONCEPTUALLY TO APPROPRIATE \$5,000 TO THE DEPARTMENT OF COMMERCE.**

**Discussion:**

02:44:01 Ms. Fox

02:44:11 Rep. Lange

02:44:42 Rep. Lake

02:45:31 Rep. Lange

02:46:50 Rep. Cordier

02:46:57 Rep. Raser

02:47:54 **Vote:** The motion carried 9-6 by roll call vote with Reps. Koopman, Blasdel, Ward, Everett, Butcher and Jore voting no. Rep. Ward voted by proxy.

02:48:40 **Motion:** Rep. Raser moved that **HB 732 DO PASS AS AMENDED.**

**Discussion:**

02:48:53 Rep. Raser

02:49:20 Rep. Lange

02:49:37 Ms. Fox

02:50:18 Rep. Lange

02:50:36 Rep. Wilmer

02:51:33 **Vote:** The motion carried 9-6 by roll call vote with Reps. Koopman, Blasdel, Ward, Everett, Butcher and Jore voting no. Rep. Ward voted by proxy.

**EXECUTIVE ACTION ON HB 733**

02:52:33 **Motion:** Rep. Raser moved that **HB 733 DO PASS.**

**Discussion:**

02:52:43 Rep. Lake

02:53:25 **Substitute Motion/ Vote:** Rep. Lake moved a substitute motion that **HB 733 BE TABLED.** The motion carried 9-6 by roll call vote with Reps. Raser, Wilmer, Cordier, Grinde, Hamilton and Bixby voting no. Rep. Ward voted by proxy.

**EXECUTIVE ACTION ON HB 280**

02:54:33 Rep. Lake moved **HB 280 DO PASS.**

**Discussion:**

02:54:44 Rep. Lake

02:55:08 **Motion/Vote:** Rep. Lake moved that **HB 280 BE TABLED.** The motion carried 14-1 by roll call vote with Rep. Grinde voting no. Rep. Ward voted by proxy.

**EXECUTIVE ACTION ON HJ 39**

02:56:14 **Motion:** Rep Raser moved that **HJ 39 DO PASS.**

02:56:39 **Motion:** Rep. Raser moved that **HJ 39 BE AMENDED.**  
**EXHIBIT**(edh41a11)

**Discussion:**

02:57:08 Ms. Fox

02:57:33 **Vote:** The motion passed unanimously by voice vote.  
Rep. Ward voted by proxy.

02:57:45 **Motion:** Rep. Raser moved that **HJ 39 DO PASS AS AMENDED.**

**Discussion:**

02:57:53 Rep. Lake

02:58:25 Rep. Wilmer



02:58:39 **Vote:** The motion carried 13-2 by roll call vote with Reps. Koopman and Jore voting no. Rep. Ward voted by proxy.

**EXECUTIVE ACTION ON HB 744**

02:59:43 **Motion:** Rep. Lake moved that **HB 744 DO PASS.**

03:01:56 **Motion:** Rep. Koopman moved that **HB 744 BE AMENDED.**

**EXHIBIT**(edh41a12)

**EXHIBIT**(edh41a13)

**Discussion:**

03:02:14 Ms. Fox

03:03:24 Rep. Koopman

03:04:51 Rep. Cordier

03:05:21 Rep. Koopman

03:05:49 Rep. Rice

03:07:28 Rep. Lake

03:07:48 Rep. Rice

03:07:57 Rep. Raser

03:08:20 Rep. Koopman

03:08:57 **Vote:** The motion carried by unanimous voice vote. Rep. Ward voted by proxy.

03:09:15 **Motion/Vote:** Rep. Lake moved that **HB 744 DO PASS AS AMENDED.** The motion carried by unanimous voice vote. Rep. Ward voted by proxy.

**EXECUTIVE ACTION ON HB 769**

03:10:15 **Motion:** Rep. Lake moved that **HB 769 DO PASS.**

**Discussion:**

03:10:37 Rep. Butcher

03:11:16 Rep. O'Hara

03:11:21 Rep. Butcher

**EXHIBIT**(edh41a14)

03:12:44 Rep. Koopman

03:13:46 **Motion:** Rep. Cordier moved that **HB 769 BE AMENDED.**

**EXHIBIT**(edh41a15)

**Discussion:**

03:14:34 Rep. Cordier  
03:16:57 Rep. Lake  
03:17:40 Rep. Butcher  
03:19:56 Rep. Lange

03:20:16 **Vote:** The motion failed 1-14 by roll call vote with  
Rep. Cordier voting aye. Rep. Ward voted by proxy.

**Discussion:**

03:21:05 Rep. Lange  
03:21:49 Rep. Koopman  
03:22:47 Rep. Grinde  
03:23:21 Rep. Lake  
03:23:59 Rep. Cordier  
03:25:21 Rep. Butcher  
03:26:39 Rep. Lange  
03:27:10 Rep. Bixby

03:27:32 **Vote:** The motion carried 11-4 by roll call vote with  
Reps. Koopman, Cordier, Bixby and Jore voting no.  
Rep. Ward voted by proxy.

**DISCUSSION ON FALSE TESTIMONY**

03:29:04 Rep. Butcher  
03:29:54 Rep. Jore  
03:30:35 Rep. Butcher  
03:30:43 Rep. Jore  
03:31:03 Rep. Cordier  
03:31:10 Rep. Jore

**EXECUTIVE ACTION ON HB 465**

03:31:49 **Motion:** Rep. Everett moved that **HB 465 DO PASS.**

**Discussion:**

03:31:58 Rep. Jore  
03:34:16 Rep. Lake  
03:35:10 Rep. Jore  
03:36:29 Rep. Wilmer  
03:37:10 Rep. Raser  
03:38:15 Rep. Butcher  
03:40:13 Rep. Koopman  
03:41:56 Rep. Jore

03:42:58 Rep. Lange

03:44:18 Rep. Jore

03:44:30 **Vote:** The motion carried 8-7 by roll call vote with Reps. Raser, Wilmer, Cordier, O'Hara, Grinde, Hamilton and Bixby voting no. Rep. Ward voted by proxy.

**EXECUTIVE ACTION ON HB 515**

03:45:48 **Motion:** Rep. Lake moved that **HB 515 DO PASS.**

**Discussion:**

03:46:40 Ms. Fox

**EXHIBIT** (edh41a16)

03:47:31 **Motion/Vote:** Rep. Lake moved that **HB 515 BE AMENDED.** The motion carried unanimously by voice vote. Reps. Ward and O'Hara voted by proxy.

03:48:02 **Motion:** Rep. Lake moved that **HB 515 DO PASS AS AMENDED.**

**Discussion:**

03:48:13 Rep. Grinde

03:48:31 **Vote:** The motion carried 12-3 by voice vote with Reps. Everett, Koopman, Jore voting no. Reps. Ward and O'Hara voted by proxy.

**EXECUTIVE ACTION ON HB 573**

03:49:20 **Motion:** Rep. Wilmer moved that **HB 573 DO PASS.**

**Discussion:**

03:50:08 Ms. Fox

**EXHIBIT** (edh41a17)

03:51:34 Rep. Wilmer

03:51:55 Rep. Jore

03:52:05 Rep. Raser

03:52:30 Rep. Everett

03:52:38 Ms. Fox

03:53:12 Rep. Everett

03:53:22 **Motion/ Vote:** Rep. Lake moved that **HB 573 BE AMENDED.** The motion carried unanimously by voice vote. Reps. Ward and O'Hara voted by proxy.

03:53:44 **Motion:** Rep. Wilmer moved that **HB 573 DO PASS AS AMENDED.**

**Discussion:**

03:53:51 Rep. Lake

03:54:46 Rep. Grinde

03:55:03 **Vote:** The motion failed 7-8 by roll call vote with Reps. Raser, Wilmer, Cordier, Grinde, Lange, Hamilton, Bixby voting aye. Reps. Ward and O'Hara voted by proxy.

03:55:56 **Motion/ Vote:** Rep. Butcher moved that **THE VOTE BE REVERSED AND THE BILL TABLED.** The motion carried 13-2 by voice vote with Reps. Raser and Wilmer voting no. Reps. Ward and O'Hara voted by proxy.

**EXECUTIVE ACTION ON HB 614**

03:56:27 **Motion:** Rep. Butcher moved that **HB 614 DO PASS.**

**Discussion:**

03:56:40 Rep. Butcher

03:58:08 Rep. Hamilton

03:58:48 Rep. Raser

03:59:16 **Substitute Motion/Vote:** Rep. Grinde moved that **HB 614 BE TABLED.** The motion carried 8-7 by roll call vote with Reps. Koopman, Blasdel, Ward, Everett, Butcher, Lange and Jore voting no. Reps. Ward voted by proxy.

**EXECUTIVE ACTION ON HB 615**

04:00:48 **Motion:** Rep. Butcher moved that **HB 615 DO PASS.**

04:00:58 **Vote:** The motion failed 5-10 by roll call vote with Reps. Blasdel, Lake, Everett, Butcher and Jore voting aye. Rep. Ward voted by proxy.

04:03:14 **Motion/Vote:** Rep. Butcher moved that **THE VOTE BE REVERSED AND THE BILL TABLED.** The motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON HB 672**

04:03:40 **Motion:** Rep. Grinde moved that **HB 672 DO PASS.**

**Discussion:**

04:04:08 Rep. Lake

04:04:33 **Vote:** The motion carried 12-3 by voice vote with Reps. Everett, Jore, Koopman voting no. Rep. Ward voted by proxy.

**EXECUTIVE ACTION ON HB 702**

04:05:19 **Motion:** Rep. Everett moved that **HB 702 DO PASS.**

**Discussion:**

04:05:28 Rep. Jore

04:09:04 Rep. Butcher

04:11:28 Rep. O'Hara

04:11:51 Rep. Wilmer

04:13:00 Rep. Lange

04:15:18 Rep. Raser

04:16:32 Rep. Koopman

04:18:27 Rep. Jore

04:19:29 **Vote:** The motion carried 8-7 by roll call vote with Reps. Grinde, Raser, Wilmer, Cordier, O'Hara, Hamilton, Bixby voting no. Rep. Ward voted by proxy.

**EXECUTIVE ACTION ON HB 716**

04:21:12 Ms. Fox

04:21:49 Rep. Lake

04:21:53 **Motion:** Rep. Raser moved that **HB 716 DO PASS.**

04:22:03 **Substitute Motion:** Rep. Everett made a substitute motion that **HB 716 BE TABLED.**

**Discussion:**

04:22:13 Rep. O'Hara

04:23:00 Rep. Jore

04:23:43 Rep. O'Hara

04:23:52 Rep. Lake

04:25:40 **Vote:** The motion carried 10-5 by roll call vote with Reps. Raser, Lange, Grinde, Hamilton, and Bixby voting no. Rep. Ward voted by proxy.

**EXECUTIVE ACTION ON HB 164**

04:26:31 **Motion:** Rep. Koopman that **HB 164 BE RECONSIDERED.**

**Discussion:**

04:26:57 Rep. Koopman

04:28:00 **Vote:** The motion carried 8-6 by roll call vote with Reps. Raser, Wilmer, Cordier, Grinde, Hamilton, and Bixby voting no.

04:29:05 **Motion:** Rep. Koopman moved that **HB 164 DO PASS.**

**Discussion:**

04:29:28 Rep. Lange

04:36:14 **Motion:** Rep. Koopman moved that **HB 164 BE AMENDED.**  
**EXHIBIT** (edh41a18)

**Discussion:**

04:36:30 Rep. Koopman

04:38:45 **Vote:** The motion carried 8-6 by voice vote with Reps. Cordier, Raser, Bixby, Hamilton, Wilmer, Grinde voting no. Reps. Grinde and Ward voted by proxy.

04:39:39 **Motion:** Rep. Koopman moved that **HB 164 DO PASS AS AMENDED.**

**Discussion:**

04:39:50 Rep. Lange

04:40:10 Rep. Koopman

04:40:50 Rep. Lange

04:41:34 Rep. Koopman

04:41:44 Rep. Butcher

04:44:59 Rep. Raser

04:46:49 Rep. Koopman

04:47:44 **Vote:** The motion carried 8-7 by roll call vote with Reps. Raser, Wilmer, Cordier, O'Hara, Grinde, Hamilton and Bixby voting no. Reps. Ward and Grinde voted by proxy.

**Additional Exhibits:**

This document relates to HB 465 and was distributed via the committee secretary after the conclusion of the hearing.

**EXHIBIT(edh41a19)**

This document relates to HB 465 and was distributed via the committee secretary after the conclusion of the hearing.

**EXHIBIT(edh41a20)**

This document relates to HB 465 and was distributed via the chairman after the conclusion of the hearing.

**EXHIBIT(edh41a21)**

**ADJOURNMENT**

04:48:47 Adjournment: 9:08 P.M.

---

REP. RICK JORE, Chairman

---

DONCI BARDASH, Secretary

RJ/db

Additional Exhibits:

**EXHIBIT ([edh41aad.pdf](#))**